



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

July 17, 2008

Response Due Date:  
August 18, 2008

Mike Gravel, Treasurer  
Mike Gravel for President 2008  
1600 North Oak Street, Number 1412  
Arlington, VA 22209

Identification Number: C00423202

Reference: April Quarterly Report (1/1/08 - 3/31/08)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 4 items:

1. Schedule A-P of your report discloses one or more contributions that appear to be from a corporation(s) and/or labor organization(s) (see attached). 2 U.S.C. § 441b(a) prohibits the receipt of contributions from corporations and labor organizations unless made from separate segregated funds established by the corporations and labor organizations.

If any apparently prohibited contribution in question was incompletely or incorrectly disclosed, you must amend your original report with clarifying information.

If you have received prohibited contributions, you must make a refund. (11 CFR § 103.3(b)(1)) The refund must be made within thirty (30) days of the treasurer becoming aware of the illegality of the contribution. (11 CFR § 103.3(b)(2))

Please inform the Commission of your corrective action immediately and provide a photocopy of any refund checks. Refunds must be reported on a Schedule B-P supporting Line 28(a) of the report covering the period in which the refund was made. (11 CFR § 104.8(d)(4))

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Although the Commission may take further legal action, prompt action by you to refund the prohibited amount will be taken into consideration.

2. Schedule D-P of your report discloses outstanding debts owed to your committee. The purposes listed with these debts indicate that these debts are for "donations not received" from entities such as "Paypal." It is unclear whether these outstanding contributions are from individuals making payments through these entities, or whether the contributions are from the entities listed on Line 11. Please amend your report to clarify the nature of the debts owed to the committee. (11 CFR § 104.11(b))

When your committee receives payments for these debts, each payment must be disclosed on Schedule A-P. In addition, **each individual contribution must be itemized on Schedule A-P as a memo entry** when the individual's total contributions to your committee aggregate over \$200 per election cycle. (11 CFR § 104.3(a)(4)(i)) This itemization must include the contributor's full name, address, occupation, employer, and the date that the committee received the contribution. (11 CFR § 100.12) If none of the contributors aggregates to over \$200 during the election cycle, you must indicate this on an amendment to your report.

Please amend your report to explain the nature of the debts owed to the committee listed on Schedule D-P and to disclose the original contributor information on Schedule A-P for these payments.

3. Commission Regulations require that a committee disclose the identification of all individuals who contribute in excess of \$200 in an election cycle. (11 CFR § 104.3(a)(4)(i)) Identification for an individual is defined as the full name, mailing address, occupation and name of employer. (11 CFR § 100.12) Your report discloses contributions from individuals for which the identification is not complete.

You must provide the missing information, or if you are unable to do so, you must demonstrate that "best efforts" have been used to obtain the information. To establish "best efforts," you must provide the Commission with a detailed description of your procedures for requesting the information. Establishing "best efforts" is a three-fold process.

First, your original solicitation must include a clear and conspicuous request for the contributor information and must inform the contributor of the requirements of federal law for the reporting of such information. (11 CFR § 104.7(b)(1)) See 11 CFR § 104.7(b)(1)(B) for examples of acceptable statements regarding the requirements of federal law.

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Second, if the information is not provided, you must make one follow-up, stand alone effort to obtain this information, regardless of whether the contribution(s) was solicited or not. This effort must occur no later than 30 days after receipt of the contribution and may be in the form of a request via mail, e-mail or telephone documented in writing. (11 CFR § 104.7(b)(2)) Follow-up requests should be done, if necessary. These requests must be documented clearly in the form of written records. The requests must:

- clearly ask for the missing information, without soliciting a contribution;
- inform the contributor of the requirements of federal law for the reporting of such information, and
- if the request is written, include a pre-addressed post card or return envelope.

Third, if you receive contributor information after the contribution(s) has been reported, you should either a) file with your next regularly scheduled report, an amended memo Schedule A-P listing all the contributions for which additional information was received; or b) file on or before your next regularly scheduled reporting date, amendments to the report(s) originally disclosing the contribution(s). (11 CFR § 104.7(b)(4))

Please amend your report to provide the missing information and a detailed description of your procedures for requesting the information. For more information on demonstrating "best efforts," please refer to the Campaign Guide for Congressional Committees and Candidates.

4. Some of the contributions itemized on Schedule A-P of your report have incorrect values in the "Election Cycle-to-Date" field. This field should show the total amount that the committee received from the contributor in the current election cycle, from 11/3/04 through the date of receipt of the contribution. (11 CFR § 104.3(a)(3))

It appears that some of the names you have disclosed on Line 17(a) of Schedule A-P are entered into your database as "last name, first name" while others are entered as "first name, last name." Entering names in different formats prevents your database from properly aggregating contributions from the same individual or entity. Please amend your reports to disclose contributor names in a consistent format.

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**Please note, you will not receive an additional notice from the Commission on this matter.** Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1169.

Sincerely,



Lauren Lien  
Senior Campaign Finance Analyst  
Reports Analysis Division

Excessive and/or Prohibited Contributions  
Mike Gravel for President 2008 (C00423202)  
April Quarterly Report (1/1/08 - 3/31/08)

P = Primary Election

CONTRIBUTOR NAME		DATE	AMOUNT	ELECTION
Authorizenet Corp.		1/15/2008	\$4,932.71	P2008
Hall	Kern	10/2/2007	\$500.00	P2008
Hall	Kern	11/2/2007	\$500.00	P2008
Hall	Kern	12/2/2007	\$500.00	P2008
Kern	Hall	1/24/2008	\$500.00	P2008
Kern	Hall	2/2/2008	\$500.00	P2008
Paypal Inc.		1/7/2008	\$852.00	P2008

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